

## IN THE MICHIGAN COURT OF APPEALS

### ORDER

Re: **People of MI v Joshua William Bower**  
Docket No. **263438**  
L.C. No. **05-003278-01**

Michael J. Talbot, Judge, acting under MCR 7.211(E)(2), orders:

The motion to extend time or in the alternative to remand is GRANTED TO THE EXTENT that the matter is REMANDED to the trial court for purposes of continuing to hear and decide defendant-appellant's January 3, 2006, motion for resentencing, new trial and for a *Ginther* Hearing.

The trial court is to hear and decide the matter within 56 days of the Clerk's certification of this order. Appellant must also file with the Clerk of this Court copies of all orders entered on remand within 14 days after entry.

The trial court is to make findings of fact and a determination on the record. The trial court is to cause a transcript of any hearing on remand to be prepared and filed within 21 days after completion of the proceedings.

This Court retains jurisdiction in the cause, and the time for proceeding with the appeal in this Court begins upon issuance of an order in the trial court that finally disposes of the remand proceedings.

Under the doctrine of completeness, the appellant's brief filed March 15, 2006, is stricken and the appellant shall file a replacement brief within 21 days after the trial court's decision or after the filing of the transcript of any hearing held, whichever is later.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 29 2006

Date

*Sandra Schultz Mengel*  
Chief Clerk